

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

CARLOS MARTINEZ,

Defendant.

Hon. Phillip J. Green

Case No. 1:20-mj-00179

ORDER

This matter is before the Court on the government's motion for pretrial detention. Defendant has been charged by way of Criminal Complaint with conspiracy to distribute and possession with intent to distribute 50 grams or more of Methamphetamine, 500 grams or more of Cocaine, and a quantity of Heroin and Suboxone, in violation of 21 U.S.C. §§ 841 (a)(1); 846.

The government sought defendant's detention on the basis the he is a significant risk of nonappearance and a danger to the community, 18 U.S.C. § 1342(f)(1). The Court conducted a hearing on May 29, 2020, at which defendant was represented by counsel. The Court having found probable cause to support the charge in the complaint, there is a statutory rebuttable presumption in favor of detention.

Having considered the evidence presented at the hearing, the parties' oral submissions, and the information in the Pretrial Services Report, and for the reasons stated on the record, the Court finds that defendant has met his burden of production regarding risk of flight, but that he failed to rebut the presumption regarding danger to the community. Moreover, the government has met its burden of proving by clear and convincing evidence that defendant poses a danger to the community, and the Court finds that there is no condition or combination of conditions that will ensure the safety of the community. Accordingly,

IT IS ORDERED that defendant is committed to the custody of the Attorney General pending trial.

IT IS SO ORDERED.

Date June 1, 2020

/s/ Phillip J. Green
PHILLIP J. GREEN
United States Magistrate Judge